ONTARIO
TEACHERS' MANUALS

A STUDY IN GOVERNMENT

AUTHORIZED BY THE MINISTER OF EDUCATION

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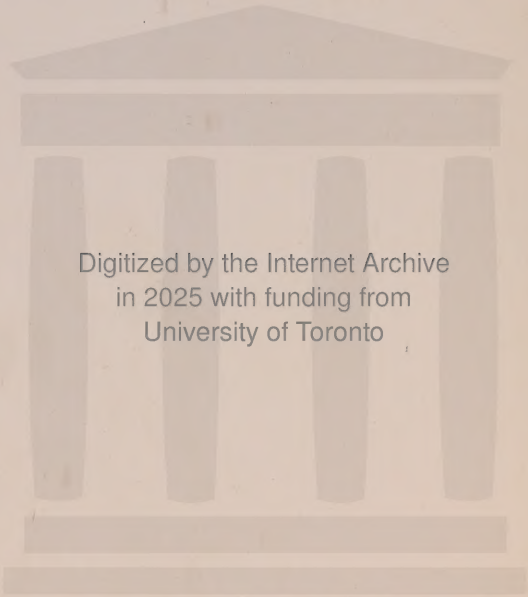
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ONTARIO
TEACHERS' MANUALS

A STUDY IN GOVERNMENT

MUNICIPAL AND PROVINCIAL GOVERNMENT
IN ONTARIO AND THE FEDERAL SYSTEM IN CANADA

AUTHORIZED BY THE MINISTER OF EDUCATION

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NOTE

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THE MINISTER OF EDUCATION FOR ONTARIO

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PREFACE

JUST as an engineer must know and understand the machinery under his control, so a Canadian, to be a good citizen, must know and understand the government under which he lives. Citizenship is not a condition into which a man is born, but is like a profession or a trade which must be learned; it is not a passive obedience to law, but an active and intelligent participation in government. Democracy, which involves government of the people, by the people, for the people, presupposes in the people a realization of their civic responsibilities and duties, and a knowledge of the means by which they can and do discharge those responsibilities and duties.

The outline of government for Ontario schools presented in the following pages has been prepared with two objects in view: first, to describe the share of the individual in the government, and secondly, to describe the machinery of government in and for Ontario. It is hoped that, in emphasizing the interaction of the government and the individual and the close dependence of one on the other, a clearer understanding and appreciation of the importance of government in modern life may result in the minds of young Canadians.

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A STUDY IN GOVERNMENT

CHAPTER I

THE STUDY OF GOVERNMENT

THERE are at least three reasons why the processes of governing a country should be studied and understood. The first reason is historical, the second practical, and the third personal.

The historical reason is based on the fact that men have always lived under a government of some kind. If we wish to understand the conduct of men both in the past and in the present, an examination and understanding of the form of government under which they live and have lived will provide a clear explanation of much of man's conduct, the way in which he lived, and the conditions under which he existed.

The practical reason is based on the facts that each of us lives under a government of some kind; and that our whole lives are conditioned by the form which this government assumes. When a man votes, pays taxes, marries, ships goods, sells land, buys a postage stamp, deposits money in a bank, even when he is buried, he is controlled by a government which has made regulations for his guidance and protection. Government is all-embracing, it can make its citizens happy or miserable. The citizen and the prospective citizen has a real and practical interest in knowing how his government is organized, what it does, and how it works.

The personal reason for the study of government rests on the fact that, in Canada, as in most parts of the world to-day, the people are self-governing. The Canadian citizen says, directly or through his representatives, what laws shall be made, who shall make them, what taxes shall be levied, and how the revenues shall be spent. Government in Canada is what Canadians make it. If the government is wasteful, corrupt, or arbitrary, Canadians cannot and should not blame any person or body of persons but themselves. They are themselves the rulers; and on them the goodness or badness of the government depends. They do not themselves actually do the governing, but they choose representatives who are to act for them and make their laws. On the goodness or badness, on the wisdom or foolishness of the general body of Canadian citizens depends the goodness or badness, the wisdom or foolishness of the government of Canada.

The fundamental object or purpose of the study of government is, therefore, not mental training, nor the acquisition of interesting information, which may be forgotten as soon as the use for it has passed, but the promotion of intelligent and responsible citizenship, so that, by knowing his government and how it operates, the Canadian citizen can appreciate, not only what the government does for him, but also how much the quality of that government depends upon himself.

CHAPTER II

THE NEED AND PURPOSE OF GOVERNMENT

At various times in the history of the world, the government has consisted of a patriarch, a priest, a king, a group of nobles, or a group of representatives of the whole people. Whatever the form it took, the fact is that men have always lived under the control of an authority which to-day we call government. The function or purpose of that authority, then as now, was to make it possible for men to live peacefully together in large groups.

In order that men may live thus, rules by which their conduct can be guided are necessary; that is, laws were, and still are, necessary, if man is to avoid spending his life in fighting and in conflict with his neighbours.

The mere existence of laws, however, is not enough. They must be enforced against lawbreakers if they are to be effective, and if they are to serve their purpose in keeping men from descending to the level of wild beasts. Civilization, in short, depends on the maintenance of law and order; and as the government maintains this law and order, it thus makes civilization possible. The first and primary function of government originally was to establish, and now is to maintain, peace and order by making and enforcing laws by which the conduct of citizens will be guided and controlled.

It took many centuries for people to realize that the first and major function of government was to establish and maintain peace and order within the

territory subject to its control. When these were established, when men found that they were wealthier and happier when they were not continually fighting with their neighbours, it was discovered that the government could do certain things better and more efficiently than private individuals working for profit. As a result the government began to build roads and bridges, to manage a post-office business, to keep a public army and navy, to establish public schools, and to perform services of benefit, not to certain individuals or groups alone, but to all citizens living in the national territory.

Thus the government assumed another function, and became the means of establishing and maintaining services which no private individual could or would establish, yet which were highly necessary to the happiness and well-being of the whole nation.

A government, consequently, supplies two primary needs of man, and, in supplying these needs, performs its two major functions or purposes. One major function is to maintain peace and order, by making and enforcing laws for guiding and regulating the conduct of the citizens; the other major function is to provide services of importance and benefit to the whole body of citizens living under its jurisdiction.

From the time of his entrance into the world, when the government requires the registration of his birth, to the time of his death, when he is buried in accordance with rules laid down by it, the individual is concerned with the rules which the government makes and enforces upon him. It hedges him round about, daily and every day, from birth to death. It maintains the peace and order under which, in accordance with rules which it lays down and enforces, he

has freedom to pursue his life and earn his living. The government establishes and maintains services which the individual uses daily and every day, for example, the streets, the roads, and the water supply. It is the government which conditions and makes possible the life of modern civilized man.

The study of government and how it performs, and, more important, how it may better perform, its major functions of maintaining peace and order, and providing all the services of which modern man unthinkingly takes advantage every day, is a matter deserving not only study and investigation, but the most careful and constructive thought and consideration of every citizen and prospective citizen in Canada and in every nation of the world.

CHAPTER III

THE GOVERNMENT AND THE INDIVIDUAL

The major purposes of a government are to maintain peace and order and to provide services for the benefit and convenience of all individuals in the country. These two major purposes it fulfils by means of laws.

Peace and order are maintained by providing and enforcing laws regulating the conduct of individuals; practically every activity of man is regulated by government, with the result that the number of laws regulating conduct cover a wide field.

Services are provided by laws establishing and maintaining those services; the number of services provided by the government for the benefit and convenience of the people are as many and as varied as the laws regulating conduct. The laws which a government must make, if it is to fulfil its purposes efficiently and well, are, consequently, large in number and confusing in their complexity. The multitude of laws and their complexity make it difficult for individuals to obey them, no matter how anxious they may be to be law-abiding citizens. The duty of the government, then, is not completed by merely making laws; it must also provide means through which individuals may know precisely what is the law, and how they should conduct themselves in order to be law-abiding citizens.

The mere making of laws is, consequently, no regulation of conduct; if a law is to regulate conduct, that law must be enforced against lawbreakers; where

it is complex and difficult to understand, it must be authoritatively interpreted; and where it prescribes certain definite activities by the people, that law must be administered. All this appears, for example, in the income tax law. If a man refuses to pay income tax, the law is enforced against him; if he is in doubt as to how to make out his returns, officers of the government will supervise the matter and see that he does it properly; if he is in doubt as to the meaning of the law, the courts will interpret it for him. Thus after a law is made, that law is enforced, administered, and interpreted by the government at the instance of individuals. The law is made for the benefit and advantage of all individuals in the country; and in necessary cases, it will be applied to individuals by the government on behalf of the community.

Each of these duties of making, enforcing, administering, and interpreting laws is performed by a separate and special branch of the government. The legislature makes the law; the executive enforces the law; the administration, that is, the civil service, administers the law; and the judiciary, that is, the courts, interprets the law.

Thus the government applies the law to individuals by means of four branches—the legislature, the executive, the civil service, and the courts. Each branch of the government has one special function to perform; yet all working together constitute the government, and are the channels through which that government applies the law to individuals, maintains peace and order, and provides services for the benefit and convenience of individuals.

CHAPTER IV

THE MAKING OF LAWS

THE legislature is that branch of a governmental organization which makes or enacts laws.

Laws are either rules of conduct or the means by which services performed by the government are established and maintained. Yet laws are merely so many words; behind the words in which a law is expressed is an idea or a principle. A law is, in fact, merely the accurate expression in words of an idea or of a principle. For example, a law may state that every man shall pay an income tax of four per cent. The law as enacted by the legislature, if it is to be applied to individuals, must state accurately and precisely in words the various ideas and principles of an income tax. Both the idea and the words in which the idea is clothed are, consequently, of great importance; the function of the legislature is to make sure that the idea or the principle is accurately and precisely put into words.

The idea for a law may come from either of two sources, though in both cases the legislature has to adopt the idea and officially enact it. An idea for a certain law may come originally from a group of individuals who see the need for it, and who by propaganda and argument make the need for the proposed law apparent to a large number of people. When the need has become apparent, the idea is usually adopted by a political party; after which, if that party is elected and is supported by a majority in the legislature, the idea for the proposed law is put into the form of a

law, called a bill, and after discussion by the legislature, is enacted and becomes law.

The other source of ideas for new laws is the legislature, or the government itself, which, after the idea has been put into proper form, presents the bill to the legislature for enactment. If the party which is in the majority in the legislature supports the bill, then the idea becomes law; the party, however, will not vote for the bill unless its members consider that the people in the next election will be in favour of such a law. Thus, the government suggests, the party adopts, the legislature enacts, and the people accept or reject the idea by voting for or refusing to vote for the party which adopted the idea.

There are, then, two sources from which ideas for laws are derived: groups of individuals who, through the parties, get the legislature to convert the idea into a law, or the government itself, which, by securing or failing to secure the support of the majority party and so of the majority of the people, either succeeds or fails in getting the legislature to convert the idea into a law.

Once such an idea for a law, wherever the idea has originated, has been enacted by the legislature as a law, that law is enforced by the executive, applied by the civil service, and interpreted by the courts, for the benefit of all the people in the country.

CHAPTER V

THE INDIVIDUAL AND THE GOVERNMENT

Laws are made by that branch of the government known as the legislature. The idea or principle of these laws comes directly or indirectly from the people, for, either the people suggest the ideas for laws to the government, or the government suggests those ideas to the people, who, by either supporting or defeating that particular government, accept or reject the ideas presented to them.

The people support or defeat a particular government by means of votes. When a person votes, he votes for a certain candidate; but that candidate is a member of a certain party, and, in voting for him, the voter in reality supports the party which the candidate represents. If a party has a majority of members in the legislature, it controls the legislature; that majority party was voted for and is presumably supported by a majority of the people; it follows, therefore, that the majority of the people, through the majority party, control the legislature and so control the making of laws.

Whether the idea of a law originates with the people and is accepted and enacted by the legislature, or originates in the legislature and is accepted by the people, there is an interaction between government and people—the government is dependent on the continued support of the people, and as the people consists of individuals, the government is, therefore, dependent on the support of a majority of the individuals in the country. Those individuals support

the government by voting, at election time, for the party which supports that government.

There are at present some nine millions of individuals in Canada. There is little or no surety that five millions or even two millions of these will think alike or vote in favour of any particular idea presented for their approval. The purpose of a political party is to organize public opinion, and so unify it by argument and education that the largest possible number of individuals will approve of the principles and ideas advocated by that party. If the party succeeds in securing the support of a majority of the individuals in the country, that party will, after an election, control the legislature, and so be in a position to decide what ideas for proposed laws shall be enacted as enforcible laws.

A political party, in depending on the support of individuals, must, therefore, advocate the ideas and principles of which those individuals approve. Those ideas and principles are no wiser than the intelligence of the individuals who support the party. If the individual supporters of a party approve of the idea of making every one in the country a duke, the party will adopt the idea, foolish as it may be. At an election, if that party secures a majority of the individual votes in the country, the party will control the legislature, and having been elected to make every one a duke, will enact a law to that effect, with the result that every one becomes a duke whether he wants to or not.

If wise and intelligent laws are to be made by the legislature, the people must themselves be wise and intelligent; for a particular government is merely a mirror of the general body of the people, and will enact as law any wise or foolish measure which the

people may demand. The intelligence of the government is, therefore, dependent on the general intelligence of the voters; if the legislature and the government are to enact wise and proper laws, the people must not only vote, but must vote intelligently; and, to vote intelligently, they must be informed on public problems. This process of informing or educating the people on political affairs is performed by the various parties, which present and describe various angles of political questions to the electorate, each party hoping that the particular angle it advocates will be supported and voted for by a majority of the electorate.

When a person has a vote in an election, it is necessary, therefore, that he inform himself of the questions at issue, make up his mind what is the wise course for the government to follow, and vote for the party advocating the course of which he approves. Voters should, therefore, not only vote, but should investigate and decide for themselves and to the best of their ability the questions at issue in an election. Unthinking or prejudiced voting is of little or no value; for the laws ultimately mirror that ignorant attitude of the voters. Informed and intelligent voting, however, will result in an informed and intelligent government making informed and intelligent laws. Good and wise laws are a consequence of an intelligent government and legislature; an intelligent government and legislature is a consequence of an intelligent electorate; and an intelligent electorate is a consequence of informed, intelligent voting by each individual in the country who possesses a vote.

CHAPTER VI

POLITICAL DIVISIONS IN CANADA

CANADA includes a vast expanse of territory extending from the Great Lakes and the 49th parallel north latitude to the North Pole. The area of Canada is about three million square miles, and the population is approximately nine millions. The area and the population are much too extensive for any one organization to regulate properly, for special laws required for one part might in many cases be quite unsuited to other parts. Since Canada extends from the Pacific to the Atlantic Ocean and from the United States border to the North Pole, it is apparent that laws necessary on the United States border might not be properly enforcible up near the North Pole. Special laws for special districts, in addition to laws for the whole area, are, therefore, necessary.

For convenience, if for no other reason then, Canada is divided into sections called provinces, with certain northern parts known as territories or districts. There are nine provinces and two territories in Canada. The provinces are Nova Scotia, New Brunswick, Prince Edward Island, Quebec, Ontario, Manitoba, Saskatchewan, Alberta, and British Columbia. The territories are the Yukon Territory and the Northwest Territories, the latter being divided into the Districts of Mackenzie, Keewatin, and Franklin.

Each province of Canada includes a large area and a comparatively large population. To make laws applicable to the whole province a provincial government is necessary; each province, therefore, has a

provincial government organization which makes, enforces, applies, and interprets laws for the whole province. The Yukon Territory also has a governmental organization somewhat similar to those of the provinces, but the Northwest Territories are governed by the Dominion Government, and not by a separate, territorial, governmental organization.

As Canada is too large to be governed in all details by one governmental organization, so also are the provinces too large to be governed in all details by a provincial government. Wild animals, for example, are much the same throughout the whole of a province, and laws regarding them may be made by the provincial government; on the other hand, sidewalks of a city or a town are of little concern to any other town or city or even to the rest of the province. There are, then, matters to be regulated by laws operating over the whole province, and matters to be regulated by laws operating over a particular area in the province. For convenience, therefore, the province is divided into local government areas, each of which has a governmental organization to make laws on matters of local concern. In Ontario, local government areas are cities, towns, villages, townships, counties, and districts. Each of these is a local government area, and the matters over which each has power to make laws are carefully specified by the Ontario Government.

The smallest political division in Canada is, therefore, the local government area, which has a governmental organization with specified legislative powers.

The next largest is the province or the territory, the provinces having governmental organizations, and each territory an organization either like that of the Yukon or like that of the Northwest Territories.

Each provincial and territorial government has power to make laws of provincial and territorial concern.

The provinces and territories are grouped to form the Dominion of Canada, which possesses a government with power to make laws for the whole Dominion.

Canada was formed in 1867 by the federation of Nova Scotia, New Brunswick, Quebec, and Ontario. In 1870 Canada purchased the prairies from The Hudson's Bay Company, and in that year formed the province of Manitoba. In 1871 British Columbia joined the Dominion; in 1873 Prince Edward Island joined; in 1905, out of the prairie section purchased in 1870, Alberta and Saskatchewan were formed. In 1897 the Yukon Territory was established; and in the same year what remained of the territories purchased in 1870 was named the Northwest Territories, and divided into the districts of Mackenzie, Keewatin, and Franklin.

In 1867, when Canada was formed, there were only four provinces in the union; but it was realized that others might join, so the plan of government was arranged to permit the entrance of other provinces. In the plan of government it was realized that some matters would concern all the provinces, that is the whole Dominion, while others would concern only each individual province. Consequently, in the British North America Act, 1867, it was provided that each province, through its government, would make laws on certain specified subjects, sixteen in number, and that the Dominion Government would make laws on all other subjects requiring legislation, some of which were specified.

The British North America Act of 1867 is, in part,

the political framework of government in Canada, that is, it is in part the constitution of Canada. That Act established a Dominion Government with power to make laws on all matters affecting the peace, order, and good government of Canada; it then established governments in each province, each of which had power to make laws on specified subjects of concern more to each province than to the whole Dominion; it then established and gave the provincial governments power to establish local government areas, each with a government possessing power to make laws of local concern.

As has been said, the British North America Act of 1867 is in part the constitution of Canada. It united the historical provinces of British North America as the Dominion of Canada, which later, both on grounds of convenience and on historical grounds, was divided into nine provinces and two territories. The provinces are now divided into local government areas, also on grounds of history and convenience.

The political divisions of Canada may, therefore, be listed as follows: first, the local government areas, second, the provinces and territories, and third, the Dominion of Canada itself. Each of these possesses a governmental organization, which, in practically every case, includes a legislature, an executive, a civil service, a judiciary or court system, and except in two cases, an electorate.

CHAPTER VII

LOCAL GOVERNMENT ORGANIZATION IN ONTARIO

A MAP of Ontario would show that, if a line were drawn from Georgian Bay to the Ottawa River across the neck of the province, Ontario would be neatly divided into two sections—north and south. This geographical division would accord very closely with the two great political divisions. Northern Ontario is sparsely settled, but Southern Ontario is comparatively thickly settled, and contains by far the larger part of the population of the province.

SOUTHERN ONTARIO

Southern Ontario, being thickly populated, has an intricate system of local government areas. This is necessary in order to provide for the various needs of various areas; the political organization of a city, for example, being necessarily very different from that of a farming area by reason of the difference in services which a city requires compared to those required by a farming area. An urban area thickly populated will require many more services, such as streets, sidewalks, lights, and water mains, and will require much greater attention to be paid to the maintenance of peace and order than a rural locality with only a small population scattered over a wide area. For this reason, rural and urban local government areas, with differing political organizations, have been developed in Southern Ontario.

Urban areas in Southern Ontario fall into three

classes—cities, towns, and villages; rural areas fall into two classes—townships and counties. The whole of Southern Ontario is covered with cities, towns, villages, townships, and counties, each with a political organization or government of its own; but each supervised by the provincial government, and with its powers to make laws strictly limited in scope.

NORTHERN ONTARIO

Northern Ontario, being comparatively sparsely settled, and in the more northern parts hardly settled at all, does not require such an elaborate scheme of local government areas or of local governments to provide for local services. The whole area of Northern Ontario has been divided into districts for judicial purposes; the districts are large and are essentially rural areas. In the more southern parts of Northern Ontario, where mining and other communities have grown up, areas, known as towns and townships, have been established. The local government areas in Northern Ontario are, therefore, districts, towns, and townships.

A district in Northern Ontario is governed by the provincial government at Toronto, which makes any laws of local application that may be required, and which enforces and applies those laws, in addition to the general laws of the province. A judge is appointed for each district, and he acts in a variety of capacities although his chief duties are judicial.

A town in Northern Ontario has a political organization much like that of a town in Southern Ontario. It is a true local government area, possessing a local government organization which supplies local services

and maintains local peace and order, as do the local governments of Southern Ontario.

The local government divisions of Ontario are, therefore, cities, towns, villages, townships, counties, and districts, each of which possesses a local government, which, under the supervision and control of the provincial government, provides local services and maintains local peace and order.

CHAPTER VIII

FORMS OF LOCAL GOVERNMENT IN ONTARIO

Northern and Southern Ontario being more or less distinct divisions of the province, the local governments of each division will be treated separately.

SOUTHERN ONTARIO

Local governments in Southern Ontario are those of cities, towns, villages, townships, and counties. All these governments are established by the provincial government, and exercise their powers under the authority of that government, which is ultimately responsible for their activities.

In every fully organized government there is an electorate, a legislature, an executive, a civil service, and a judiciary. In some local governments one or more of these branches may be difficult to discern, but in general they are present, and constitute a functioning part of the local government.

City Government

A city electorate consists of all British subjects twenty-one years of age or over, who own or rent land of the value of four hundred dollars or more, or who receive an income of four hundred dollars or more. Certain persons, who could meet these qualifications, are excluded from voting; these include certain officials and certain incompetent people such as insane persons and criminals. Since practically every person, except those disqualified, can meet the

qualifications, practically every British subject residing in a city is given by law the right to vote. Since every right has a corresponding duty, every British subject, therefore, has a duty to vote, and not merely to vote, but to vote intelligently and wisely, for, as we have seen, on the intelligence and wisdom of the voters depends the intelligence and wisdom of the government.

The city legislature consists primarily of the city council, but also includes the executive branch. The city council is elected either by wards or by a general vote of the whole city. For example, if the city has eight wards, then each ward elects three councillors, making a total of twenty-four; or if the election is by general vote, then the whole city elects twenty-four councillors, any ward supplying any number of the councillors.

Just as you cannot have a divorce before you have a marriage, so you cannot have an election before you have a nomination of candidates. Candidates are nominated in writing by two citizens, and must be qualified voters. If the council is elected by wards, there is a nomination meeting in each ward prior to the election; if the council is elected by general vote, then there is only one nomination meeting for the whole city. Voting on election day is by ballot, not by a show of hands or otherwise, and is, therefore, secret, no one knowing how any other person voted.

The executive branch of city government consists of the mayor and the Board of Control, who also sit with the council to form the city legislature.

The city mayor has two functions to perform—he is the representative of the whole city, and he is the supervising general manager for the city. As repre-

sentative of the whole city, he speaks for and represents the city at public functions. As supervising general manager, he oversees and supervises the general business of the city and is authorized to suggest ideas for by-laws to the city council. He is elected by general vote for one year and is nominated in the same way as a councillor.

In large cities having populations of over a hundred thousand, the duties of the mayor are too many and too varied for one man to attend to. In such cities, the mayor is assisted by a Board of Control of five members including the mayor, which assumes his duties as supervising general manager of the city. The Board of Control, like the mayor, is elected by general vote of the whole city, the candidates being nominated in the same way as the mayor.

The city civil service consists of all those persons who are employed by the city government to carry on its work. They include the clerical workers at the City Hall, the police, and all persons employed by the city in the performance of services and the maintenance of peace and order.

In one class of city employees are the city treasurer, assessor, tax collector, auditor, and solicitor, with their assistants and clerks. The other class of city employees includes all those in the numerous departments which provide services; these include the fire, police, and public buildings departments, the streets, parks, water, and engineering departments, the Department of Public Health, and the Board of Education.

The city courts are practically two in number—the Division Court to settle disputes over property, and the Police Court, which applies the law to those who

break the peace of the city by committing offences. The police are not part of the court system; they are agents of the executive, and enforce the law; the police system is under the control of a Board of Police Commissioners of which the mayor is a member.

Town Government

A town in Ontario is a community of from two to fifteen thousand people. The local government of a town is very similar to that of a city, the chief difference being that a town does not have a Board of Control.

The electorate of a town has the same qualifications as are required in a city, that is, voters must be British subjects, residents, twenty-one years or over in age, and must own or rent property of a certain value or receive a certain amount of income. The usual disqualifications apply.

The legislature of a town is the town council, together with the mayor, both elected annually. The council usually consists of six to twelve members, depending on the number of wards and the size of the population, and the members may be elected by wards or by general vote as in a city. If a town contributes towards the support of the county in which it is situated, it elects reeves who represent it in the county council; if the town does not contribute, it is classed as a separated town.

The executive of a town is the mayor, who has two functions to perform—he represents the town at public functions, and he is the supervising general manager of the town business. Since the town mayor has no Board of Control to assist him, he is more of a working official than a city mayor.

The civil service branch of town government consists usually of a town clerk, a treasurer, an assessor, a tax collector, an auditor, and a solicitor. When services are performed by the town government, those activities are supervised either by a committee of the council, as for example the Poor Relief Committee, or by an independent commission elected by the people, as for example the Board of Education.

The court system of a town consists of a Division Court and a Police Court, the former being presided over usually by a visiting County Court Judge.

Village and Township Government

A village and a township in Ontario have the same form of local government. A village may have from 750 to 2000 inhabitants, and is classed as an urban area. A township is classed as a rural area; it is the root from which the other four have developed, for a part of a township may become a village, a village may become a town, and a town may become a city. Counties are made up of townships.

The voters of a village or township must have the same qualifications as have the voters in a town or city, although the property qualifications are lower.

The legislature of a village or township consists of five members, of whom one is reeve, and one may be deputy reeve, if the population is over one thousand; usually three councillors are elected. The reeve and deputy reeve represent the village in the county council.

The executive of a village or township government is the reeve, who is elected annually by general vote. His duties are very similar to, though on a smaller scale than, those of the mayor of a town.

The civil service of a village or township government consists of the clerk, the treasurer, the assessor, the tax-collector, and the auditor, who are usually only part-time workers. Any administration of services performed by the village government, such as building and maintaining sidewalks, is performed by the council and the reeve.

The judicial branch of village or township government can hardly be discerned; two local justices of the peace can form a police court; but usually any cases that arise are taken to the Police and Division Courts of the county town or the nearest town.

County Government

All the counties in Ontario have the same form of government, consisting of a legislature, an executive, a civil service, and a judiciary, but no electorate. There is no county electorate, for the county councillors are the reeves and deputy reeves of villages, towns, and townships in the county. The warden is elected by the county council from the councillors themselves. The county government does not levy taxes on individuals; its revenues come from assessed contributions from the village, town, and township governments, which collect the money at the same time as the usual municipal taxes.

A county council consists of the reeves and deputy reeves of the non-separated towns, villages, and townships in the county. It appoints all county officials, elects the warden, decides on county expenditures, and apportions the contributions of towns, villages, and townships. It supervises the maintenance of the county buildings, such as the county gaol and

court house, and the building and maintenance of county roads and bridges.

The executive of the county government is the warden, who is a member of the council and who, although authorized to supervise county business, in reality merely represents the county whenever that is necessary, and presides at the meetings of the council.

The civil service of the county government consists of the county clerk, the treasurer, and the auditors. Since the county government does not tax, it has no assessors or tax collectors. Any services, such as road or bridge-building and maintenance, are supervised by a committee of the council.

The judicial branch of county government consists of the County Court, with power to decide cases involving property not over the value of $800. The Court of General Sessions of the Peace is presided over by the county judge and sits for the trial of criminal offences. Twice a year, the Court of Assize and General Gaol Delivery sits for the trial of more serious offences.

NORTHERN ONTARIO

The local government areas of Northern Ontario are districts, townships, and towns, the last two being found wherever the population is large enough to warrant their establishment.

There are no district governments as such, for the district has been established solely for the more convenient administration of justice. Each district has a District Court presided over by a judge who holds court twice a year in the towns throughout the district. The local government of the districts is carried on by the government of Ontario; and local government services,

such as are provided by counties, townships, villages, and towns in Southern Ontario, are provided either by the government of Ontario or by the local township and town governments.

Township government in Northern Ontario is exactly similar in form to township government in Southern Ontario. There are no villages in Northern Ontario, and all communities with a population of five hundred or more are classed as towns. Town government in Northern Ontario is the same as that in Southern Ontario, the electorate having the qualifications of a village electorate, the legislature consisting usually of six, but in cases where the population warrants it, of nine members, the executive being a mayor. The civil service consists of the usual clerk, treasurer, assessor, and tax collector; and the judiciary is the District Court judge; although in some towns, if their size warrants it, a police magistrate may be appointed to hold Police Court for the trial of criminal and other cases.

CHAPTER IX

ONTARIO PROVINCIAL ORGANIZATION

Until 1870, the northern portion of what is now Ontario formed part of the territories of The Hudson's Bay Company. The southern part has had a more chequered history. Until 1760 it was included in the French colony of New France; in that year New France was conquered by Great Britain, and in 1763 became a British colony.

Until 1774 part of Southern Ontario was included in Quebec and part in the Indian territories. After 1774 all Ontario, except the northern part, was included in Quebec; and in 1791 Quebec was divided, and the southern part became the province or colony of Upper Canada.

In 1840 Lower and Upper Canada were united to form the Province of Canada; and in 1867 Upper and Lower Canada were included as the two provinces of Ontario and Quebec in the Dominion of Canada. In 1878 the northern boundary of Ontario was established as the Albany River; and in 1912 the present boundaries were set up, extending north from the Great Lakes to the present boundaries of Manitoba, to Hudson Bay and James Bay.

From 1774 to 1791, Ontario, as part of Quebec, was a Crown Colony; in 1791 it became a representative government colony; in 1840 it became part of a responsible government colony; and in 1867 it became a responsible government province in the Dominion of Canada. Ontario has, therefore, passed through all the stages of British colonial government.

In 1866 Ontario itself, through its responsible government, voted to join the new Dominion; the Dominion, although officially established by the British North America Act, which is a statute of the British Parliament, was in fact established on the free-will agreement of the four provinces. That agreement was expressed in the British North America Act, which the British Parliament enacted at the express request of and in accordance with the express instructions of the four uniting provinces.

The British North America Act, 1867, outlines the form of government in, and the political organization of Ontario. It is the written part of the constitution of Ontario, as well as of the other provinces and of the Dominion.

Ontario is a British province just as Canada is a British Dominion, and the British North America Act, 1867, recognizes that fact in making the King, that is the Crown, the executive branch of the government. The Crown is the office of chief executive in a British government; the office of chief executive is occupied by the King; but as the King cannot be present personally in Ontario he is represented by an officer known as the lieutenant-governor. The lieutenant-governor as representative of the King occupies the office of the Crown in the government of Ontario, and since the Crown is British, Ontario is, therefore, British. In all parts of the Empire, the Crown is the executive branch of government. In Ontario, in order to distinguish the executive from the executive in other parts of the Empire, the Crown is known as "the Crown in right of Ontario".

When Ontario agreed to unite with other British provinces to form the Dominion of Canada, the

question arose as to the subjects about which the provincial government of Ontario and the other provinces should make laws, and the subjects about which the Dominion Government should make laws. Before Confederation, Ontario and the other provinces had municipal, that is local, governments, and also had governments which made laws on all subjects which required regulation by law.

The division of the power to make laws between the provincial governments and the Dominion Government was a difficult matter; for not only had all the provinces to be satisfied, but a choice had to be made between two possible plans. The Dominion Government might have been given power to make laws on all subjects not expressly reserved for legislation by the provinces, or it might have been expressly limited in its powers to make laws, with all other subjects left for the legislation of the provinces. It was finally decided to outline as precisely and broadly as possible the subjects upon which the provincial governments might make laws; and to give to the Dominion Government power to make laws upon all subjects not expressly and precisely reserved to the provincial governments, and also to outline a number of subjects of national or Dominion importance upon which the Dominion should without any doubt make required laws.

The British North America Act, 1867, outlines this division of legislative power between the Dominion Government and the provincial governments. By Section 92 of that Act, the government of Ontario has power to make laws on a certain number of subjects; if the Ontario Government passes a law on a subject not included in that list, it is encroaching on the subjects upon which the Dominion is to make

laws; such an Ontario law would, therefore, be invalid. But any law made by the Ontario Government relating to a subject outlined in the list of subjects in Sections 92 and 93 is valid, and, so far as Ontario is concerned, only the Ontario Government may make enforcible laws on these subjects.

Section 92 of the British North America Act, 1867, is as follows:—

92. In each Province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say—

1. The Amendment from time to time, notwithstanding anything in this Act, of the Constitution of the Province, except as regards the office of lieutenant-governor.
2. Direct Taxation within the Province in order to the raising of a Revenue for Provincial purposes.
3. The borrowing of money on the sole credit of the Province.
4. The establishment and tenure of Provincial offices and the appointment and payment of Provincial officers.
5. The management and sale of the Public Lands belonging to the Province and of the timber and wood thereon.
6. The establishment, maintenance, and management of public and reformatory prisons in and for the Province.
7. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the Province, other than marine hospitals.
8. Municipal institutions in the Province.
9. Shop, saloon, tavern, auctioneer, and other licenses, in order to the raising of a revenue for Provincial, local, or municipal purposes.
10. Local works and undertakings other than such as are of the following classes—
    (*a*) Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the Province with any other or others of the Provinces, or extending beyond the limits of the Province:
    (*b*) Lines of steamships between the Province and any British or foreign country:

(c) Such works as, although wholly situate within the Province, are before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the Provinces.

11. The incorporation of companies with Provincial objects.
12. The solemnization of marriage in the Province.
13. Property and civil rights in the Province.
14. The administration of justice in the Province, including the constitution, maintenance, and organization of Provincial Courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those Courts.
15. The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the Province made in relation to any matter coming within any of the classes of subjects enumerated in this section.
16. Generally all matters of a merely local or private nature in the Province.

Section 93 of the British North America Act provides that each provincial government has exclusive power to make laws on the subject of education, but no provincial law may prejudicially affect any rights or privileges possessed by any denominational or separate schools existing at the time of Confederation.

Thus, in addition to the sixteen subjects outlined in Section 92, the British North America Act, by Section 93, gives the provincial governments power to make laws on the subject of education, on condition that those laws are just and equal.

CHAPTER X

THE GOVERNMENT OF ONTARIO

The Province of Ontario has a responsible government; that means that the government of Ontario, which makes and enforces laws in Ontario, is responsible and accountable to the people of Ontario for the laws it makes. If the electorate disapproves of the laws made by the government, it can elect another government to pass and enforce the laws the electorate wants. Since the judiciary interprets laws only after they are made, and since the executive enforces laws only after they are made, and since the civil service applies laws only after they are made, the critical point is, therefore, the making of those laws; control of the making of laws is control of other branches of government; and since the electorate controls the legislature in Ontario, therefore Ontario is self-governing in all matters upon which the British North America Act, 1867, permits the Ontario Government to make laws.

The electorate which controls the legislature consists of all persons who possess the right to vote. Voters in Ontario elections must meet the following qualifications: they must be British subjects, twenty-one years of age or over, and must have resided in Ontario for a year and in the electoral district for two months preceding the election. Certain persons, such as officials like judges, persons working in the election, and others such as insane persons and criminals, are not permitted to vote, either because they are required by law always to be impartial, or because they are

incompetent. Except for disqualified persons, the Ontario electorate consists of all persons, male or female, who are adults and who are British subjects. The right to vote in Ontario elections is, consequently, known as a universal franchise.

This electorate controls the legislature in Ontario and so, by controlling the making of laws, controls the other branches of government.

The legislature in Ontario consists of one hundred and twelve members; and since one member represents one district, the province is, therefore, divided into one hundred and twelve ridings or electoral districts. Members are elected by a majority vote in each electoral district; and as each candidate belongs to a party, that party which has the largest number of candidates elected in the one hundred and twelve ridings, and, consequently, is supported by a majority of the electorate, controls the legislature and so the making of the laws.

Since there are one hundred and twelve members of the Ontario Legislature, the party in majority in the legislature must have at least fifty-seven members. These fifty-seven or more members must of course be organized and unified if they are effectively to control law-making and other activities of the legislature. They therefore necessarily have leaders, one of whom is not only leader of the party members of the legislature, but is also leader of the party throughout the province. In addition to the leader, there are also outstanding members of the party, who are, in effect, sub-leaders. Thus, out of the fifty-seven or more members, a small group of influential members rise to lead the legislature, the small group itself being led by one man—the leader of the party. When a party

is in the majority in the legislature, the party leader is the premier of the province, and the party sub-leaders form his ministry. The premier and the ministry is therefore a party committee, and because it is supported by the majority party members, this party committee, known as the ministry, or officially as the Executive Council, controls the legislature, for it controls at least fifty-seven votes out of one hundred and twelve. Thus the ministry controls and directs the making of laws by the legislature, and is in effect the legislative committee of the legislature.

The ministry controls and directs the making of laws through its control of the majority party of the legislature. The ministry also controls and directs the enforcing of laws, for it is also the actual executive branch of the government. In olden days, the king appointed his own council to advise and assist him in the making and the enforcement of the laws; during the eighteenth century, however, the custom was established that the king must choose his council from the majority party in the legislature. The result was that the majority party leaders in the legislature became the king's council.

This produced the following results. The first result was that the king's power to govern was transferred to the council, which was a committee of the legislature. The second result was that the king no longer personally governed; laws were made by the legislature in the king's name and were enforced in the king's name, but no longer were they made and enforced by the king himself. The third result was that the king became a formal representative of the whole government; his duties as chief executive were directed by the cabinet, which assumed responsibility to the

legislature for whatever it did in the king's name. The fourth result was the creation of a distinction between the king and the Crown; the king occupied the office of the Crown, but the powers of the Crown were exercised by the ministry; the ministry became the real chief executive, and the king the formal or representative chief executive.

By the British North America Act, 1867, the lieutenant-governor represents the Crown in right of Ontario, and is advised by an Executive Council, which is the ministry. The lieutenant-governor is, therefore, the formal chief executive of Ontario, and the ministry is the actual chief executive. The ministry therefore combines two functions—it is the legislative committee of the legislature, and it is the actual chief executive.

The Executive Council is composed of some eleven members; together they act as the actual chief executive, as leaders of the majority party, and as leaders and directors of the legislature, deciding policy and what laws shall be made by the legislature. The great majority of laws deal with services performed by the government, and these services require supervision and regulation if they are to be properly performed. In the multitude of services performed by the government, many if not all can be grouped together under a number of supervising agencies. Through this grouping of supervising agencies, the great departments of government arise, each directing a group of related services.

As all these services require laws for their maintenance and operation, a connecting link is needed between the legislature which makes the laws and the department which directs the services. At the head of

each department, acting as a connecting link between the department and the legislature, is placed a member of the Executive Council. The Executive Council, therefore, not only directs the making of the laws by the legislature, and the enforcing of them by the executive, but also directs the application and administration of law by the great departments of the government. The ministry, consequently, has legislative, executive, and administrative duties to perform.

At the present time, the government of Ontario has fourteen departments and a number of boards and commissions, all grouped under eleven members of the Executive Council. Each department is carefully organized with a staff of officials and clerks, who carry on the work of the department under the general supervision of the member of the Executive Council in charge of that department.

The Executive Council is thus intimately in control of three branches of the Ontario Government, namely the legislature, the executive, and the civil service or administration. It is not, however, so intimately in control of the judiciary or court system. By the British North America Act, 1867, a provincial government controls the organization and maintenance of the court system and the procedure in civil cases. This, the provincial government does by means of laws, which the legislature makes, usually on the suggestion of the Executive Council. The Executive Council, through its control of the legislature and the making of the laws, thus controls the court organization of the province, and the procedure to be followed in civil cases. Rarely, however, are any laws made which would drastically change the court system; above all things, people must have confidence in the courts, and

that confidence could hardly exist if the system were subject to frequent change.

The machinery of government in Ontario is, therefore, the lieutenant-governor, the Executive Council, the administration or civil service, the legislature, and the judiciary or court system.

The lieutenant-governor is the formal executive, representing the King and occupying the office of the Crown.

The Executive Council is the actual executive; it performs the duties of the Crown, and consists of some eleven members led by the premier, all of whom must be members of the majority party in the legislature, and each of whom is political head of one or more of the great departments of government.

The administration or civil service consists of some fourteen departments and a number of boards and commissions, each with a staff of expert officials and clerks who carry on the work of government. The legislature consists of one hundred and twelve elected members, each of whom represents an electoral district in the province, and the majority of whom, through the Executive Council, control the making, enforcing, and administering of the laws.

The judiciary or court system consists of a Supreme Court and a County Court in each county; the organization and maintenance of the system being under the control of the legislature, which is directed and led by the Executive Council.

The Executive Council is thus the most important part in the machinery of government in Ontario. It is the actual executive; it leads and directs the legislature in making laws; its members are heads of and direct the work of the great departments of govern-

ment; through its control of the legislature it controls the organization of the court or judicial system; and, finally, because it is the directing committee of the majority party in the legislature, it is the leading and directing committee of the party throughout the province. At its head and acting as its leader is the premier, who, in effect, is the Executive Council, for he is the mouthpiece of the council and its representative when it acts as a unit. When he resigns, the Executive Council resigns; when a new premier is appointed, a new Executive Council is appointed. Just as the work of government hinges on the Executive Council, so the work of the Executive Council hinges on the premier.

The premier is, however, not the representative of the government of Ontario. He is the head and representative of the majority party in the legislature, and so is head and representative of the legislature and of the Executive Council. The head and representative of the government of Ontario is the lieutenant-governor, who occupies the office of the Crown as representative or agent of the King. His Majesty the King is the head of the government of Ontario just as he is head of the government of Canada and of every British government throughout the world. The government is carried on in the name of the King, by the legislature, Executive Council, administration, and judiciary, but the King, the lieutenant-governor, and the office of the Crown stand above and outside the actual work of government, thus characterizing the province of Ontario as a British province, a part of a monarchical but democratic form of government.

CHAPTER XI

ORGANIZATION OF THE DOMINION OF CANADA

In 1867 the Dominion of Canada consisted of four small provinces centred around the River St. Lawrence and the Gulf of the same name. To-day the Dominion of Canada extends east and west from the Atlantic Ocean to the Pacific and north and south from the Great Lakes and the 49th parallel north latitude to the North Pole. The territorial expansion of Canada in a period of some sixty years and the political organization of over half a continent in that period of time is little less than phenomenal.

The four provinces of Upper Canada, Lower Canada, New Brunswick, and Nova Scotia united in 1867 to form the Dominion of Canada, with a national government for the Dominion and with a provincial government in each province. In 1870 the Dominion Government purchased the territories of The Hudson's Bay Company, which territories surrounded Hudson Bay westward to the Rockies and northward to the Arctic Islands. Out of this vast territory, in 1870, the province of Manitoba was formed and became a province in the Dominion. In 1871 British Columbia, established as a separate colony in 1858, and in 1873 Prince Edward Island joined the Dominion. In 1876 the District of Keewatin was created out of the Northwest Territories purchased in 1870. In 1880 the British Government transferred to Canada all islands and territories in North America except Newfoundland, which resulted in the Arctic Islands up to the North Pole becoming part of Canada and being included in the

Northwest Territories. In 1897 the Yukon Territory was organized, and the remainder of the Northwest Territories was divided into districts. In 1905 the provinces of Alberta and Saskatchewan were established. The remainder of the Northwest Territories is to-day divided into three districts—Mackenzie and Keewatin Districts on the mainland, and Franklin District, including the Arctic Islands to the Pole.

The British North America Act, 1867, which was the agreement on which the original four provinces united, authorized and provided for the expansion of the Dominion west and north. It and other statutes then gave the Dominion power to establish provinces and governments in and for the territories acquired by the Dominion. The British North America Act, 1867, in establishing a Dominion Government and four original provincial governments, and in providing for the government of future provinces and territories, thus established a scheme of government for Canada, no matter how large the country might become. That scheme of government divided all the powers of government between the Dominion Government and the governments of the provinces; and under it the Dominion Government has the right to make laws on all subjects except those certain specified subjects listed in Section 92 of the British North America Act, 1867, upon which, as has been already stated elsewhere, only the provincial governments may make valid laws each for its own province.

Section 91 of the British North America Act, 1867, stated that the Dominion Government would have power to make laws on all subjects not listed in Section 92; and that only the Dominion Government would have power to make laws on the following list

of subjects, for they were not listed nor could they be included in Section 92.

91. It shall be lawful for the Queen, by and with the advice and consent of the Senate and House of Commons, to make laws of peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this Act assigned exclusively to the legislatures of the Provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this Act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated; that is to say:
    1. The Public Debt and Property.
    2. The regulation of Trade and Commerce.
    3. The raising of money by any mode or system of Taxation.
    4. The borrowing of money on the public credit.
    5. Postal service.
    6. The Census and Statistics.
    7. Militia, Military, and Naval Service and Defence.
    8. The fixing of and providing for the salaries and allowances of civil and other officers of the Government of Canada.
    9. Beacons, Buoys, Lighthouses, and Sable Island.
    10. Navigation and Shipping.
    11. Quarantine and the establishment and maintenance of Marine Hospitals.
    12. Sea-coast and inland Fisheries.
    13. Ferries between a Province and any British or foreign country or between two Provinces.
    14. Currency and Coinage.
    15. Banking, incorporation of Banks, and the issue of paper money.
    16. Savings' Banks.
    17. Weights and Measures.
    18. Bills of Exchange and Promissory Notes.
    19. Interest.
    20. Legal tender.
    21. Bankruptcy and Insolvency.
    22. Patents of Invention and Discovery.
    23. Copyrights.

24. Indians, and lands reserved for the Indians.
25. Naturalization and Aliens.
26. Marriage and Divorce.
27. The Criminal Law, except the Constitution of Courts of Criminal Jurisdiction, but including the Procedure in Criminal Matters.
28. The Establishment, Maintenance, and Management of Penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the legislatures of the Provinces.

And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this Act assigned exclusively to the legislatures of the Provinces.

The Dominion Government thus has power to make laws on twenty-nine subjects and on all other subjects not included in the subjects upon which the provincial governments alone may make laws. The legislative powers of the Dominion Government are thus much wider and more extensive than those of the provinces.

The scheme of government, established in 1867, applied to four provinces which already possessed governments and which already were British provinces. The new Dominion, being formed out of four British provinces, was a British Dominion, and being a British Dominion, consequently had as the executive branch of the Dominion Government the King or the Crown. When the Northwest Territories, British Columbia, and Prince Edward Island joined the Dominion, they also were British territories with the King as the executive branch of their governments. To-day, therefore, His Majesty the King is King not only of the British Empire, but also of Canada, since Canada is part of the British Empire.

Any government which has a king as its chief executive is a monarchical government; Canada therefore has a monarchical form of government. In fact, Canada is the only country in North or South America which is a monarchy. True, the King does not reside in Canada, but he is represented by an agent, the governor-general, who occupies the office of the Crown and represents the King in the government of Canada. Nevertheless, His Majesty is King of Canada, just as he is King of Ontario and of the whole British Empire, and this being so, Canada is a monarchy. The government of Canada, much like the government of Ontario, is carried on in the name of the King, who is represented in Canada by the governor-general, just as he is represented in Ontario by the lieutenant-governor.

Although Canada is a monarchy, it is also a democracy, for in Canada, just as in Ontario, the King or the Crown is the formal executive, and a council is the actual executive. The King, through his representative, the governor-general, is the head and the representative of the government of Canada, occupying the office of the Crown, which governs the country through the support of the legislature on the advice of a council somewhat similar to the Executive Council in the government of Ontario.

Canada as a political unit may therefore be described as a self-governing British Dominion, extending from the Atlantic Ocean to the Pacific and from the Great Lakes and the 49th parallel north latitude to the North Pole, which possesses a monarchical democratic government, and which forms part of the world-wide British Empire.

CHAPTER XII

FORM OF DOMINION GOVERNMENT

In Canada, there are four types of governments each somewhat different from the others. There is the government of the whole Dominion, of each province, of the Yukon Territory, and of the Northwest Territories. The governments of the nine provinces are all very similar to that of Ontario, which has been considered in a preceding chapter. The governments of the Dominion, the Yukon Territory, and the Northwest Territories are to be considered in this chapter.

THE DOMINION GOVERNMENT

The machinery of the Dominion Government consists of a Governor-General as formal chief executive, a Privy Council or ministry as actual executive, a parliament of two houses, one the Senate and the other the House of Commons, an administration or civil service, and a judiciary or court system, all functioning in more or less the same way as do their counterparts in the government of Ontario. Also as in Ontario there is in the Dominion an electorate operating through parties to control the legislature, and through the legislature, the ministry, the administration, and the judiciary.

The Dominion electorate consists of all persons who are British subjects, twenty-one years of age or over, who have resided in Canada for one year and in the electoral district for two months preceding the election. Certain classes of persons are, however, disqualified from voting; they are judges, election

officials, insane persons, and persons disqualified by the law of the province in which they live. The Dominion suffrage is therefore practically universal, for every adult British subject, male or female, unless disqualified, has the right to vote.

As in Ontario, voters act on and control the Dominion Government through parties, which formulate and advocate principles and ideas for laws for the electorate; and which, when controlling the majority of members in the legislature, control on behalf of the majority of the people the making of laws by parliament.

Voters in Canada reside in one of the nine provinces or in the Yukon; those areas are divided into electoral districts, one member of parliament being elected from each electoral district. Thus all of Canada is represented in parliament by representatives from small electoral districts.

Canada is divided into electoral districts by the Representation Act, which divides each province into as many electoral districts as the British North America Act, 1867, permits that province to have representatives in parliament. By the British North America Act, 1867, Quebec was given sixty-five members, and the number of members elected from the other provinces was to be in direct proportion to the ratio which their population bears to that of Quebec; for example, if Ontario has two millions of a population and Quebec one million, then, since Quebec has always sixty-five members, Ontario would have one hundred and thirty, and the other provinces in proportion. Every ten years the census is taken. As a result of the 1921 census, Ontario received eighty-two members, Quebec sixty-five, Nova Scotia fourteen, New Brunswick eleven, Prince Edward Island four, Manitoba

seventeen, British Columbia fourteen, Saskatchewan twenty-one, Alberta sixteen, and the Yukon one, a total of two hundred and forty-five members. Ontario, therefore, has eighty-two electoral districts from each of which a Dominion representative is elected. The majority party in the legislature must, therefore, have at least one hundred and twenty-three members elected to the legislature in order to control the making of the laws.

The Dominion legislature, unlike that of Ontario, is divided into two parts. The Dominion legislature is called Parliament. One of the houses of the Canadian Parliament is the House of Commons; the other is the Senate. The House of Commons consists of the representatives elected by the electoral districts in each province, as established by the British North America Act, 1867, and the Representation Act. The Senate consists of members appointed for life by the Governor-General in Council, each senator being required to be a British subject, at least thirty years of age, and to own at least $4000 worth of property.

The Senate consists of ninety-six members, twenty-four appointed from Ontario, twenty-four from Quebec, twenty-four from Nova Scotia, New Brunswick, and Prince Edward Island, and twenty-four from Manitoba, Saskatchewan, Alberta, and British Columbia. The chief function of the Senate is to accept or reject laws proposed by the House of Commons; it also provides, or is supposed to provide, that necessary representation of provinces as units in the Dominion Government, each province having a group of senators in the Senate. The usefulness of this Chamber has been questioned; yet for various reasons, the Senate has not been abolished and is not likely to be so for some time.

The House of Commons is the elected House and represents the general body of the people. It is in reality the legislature of the Dominion, and decides what laws shall be made by the Dominion Government, and, much like the legislature in Ontario, controls, so far as the Dominion is concerned, not only what laws shall be made, but the enforcement as well as the administration of those laws, and in addition controls the judiciary, through its control of the Cabinet, which appoints the judges throughout Canada.

In the Dominion Government, as in the Ontario, there is an executive council, but the Dominion form is known officially as the Privy Council, not the Executive Council. Popularly, the active Privy Council is known as the Cabinet or the ministry. In the Dominion Government there are two divisions in the Privy Council; one consists of those ministers who are in active control of the government; the other consists of all those persons who have, at any time, been ministers of the Crown. The working Privy Council or ministry is thus the government of the day. The official Privy Council consists of all persons who have been members, but the functions of the Privy Council are performed only by those who are in office as active ministers of the Crown.

As in the Ontario Government, the ministry or active Privy Council is the actual executive; it is also the legislative committee of the majority party in Parliament, the committee leading and directing but being controlled by the majority party in the House of Commons. It is led by one man known as the "premier" or prime minister, who also is the leader of the majority party throughout the country. The members of this Privy Council are political heads of the great departments of

government. In its executive capacity as actual executive, it appoints the judges throughout Canada, and thus, through the making of laws to be interpreted by the courts, and through its power of appointing judges, it, to a degree, controls the judiciary. In short, the relation of the Dominion Cabinet to the House of Commons, to the Dominion executive, to the Dominion civil service, and to the Dominion's judicial system, is quite the same as the relation of the Ontario Executive Council to the four branches of the Ontario Government.

The Dominion ministry is, therefore, the actual executive, but, as in Ontario, the Crown is the formal chief executive, all activities of the Dominion Government being carried on in the name of His Majesty the King. As in the government of Ontario so in the Dominion Government; the King cannot be personally present to occupy the office of the Crown, so he is represented by an agent known as the governor-general, who represents him as King of Canada. The Crown in the government of Canada as in the government of Ontario is one and the same Crown; the King is King of Canada, of Ontario, and of every British Dominion and territory throughout the world. The governor-general is merely the King's personal representative occupying the office of the Crown in the absence of the King; the active work in relation to the government of the Dominion being carried on and directed by the actual executive—the Cabinet or ministry, which is led by the prime minister and which is supported by a majority of the House of Commons.

His Majesty the King, being King of Canada as well as King of the whole British Empire, makes Canada a monarchy, the only monarchy in North and South

America. Since, however, the people control the making of laws by controlling the Parliament and the Cabinet, Canada also is a democracy. The government of Canada may therefore be characterized as monarchical and democratic; and citizens of Canada are not citizens, but subjects, British subjects, for a person owing allegiance to a king is a subject, not a citizen. A citizen is an individual member of a republic; Canadians are members of a monarchy, but a democratic monarchy, and if they are proud of being Canadians, should be even prouder of being British subjects, members of the world-wide British Empire.

THE GOVERNMENT OF THE YUKON TERRITORY

The Yukon Territory is not a province under the British North America Act, 1867, but is on the way to becoming a province of the Dominion. Its territorial government makes ordinances, subject to supervision by the Dominion Government, on all subjects of a local nature, such as liquor, game, marriage, property and civil rights, municipal institutions, organization of courts, etc. Laws made by the Dominion Government, of course, are enforced and applied in the Yukon.

The local chief executive of the Yukon is the Commissioner of the Yukon Territory, who is appointed by the Governor-General in Council. He is responsible to the Dominion Government for the general administration of the territory.

Ordinances are made by the Commissioner in Council, the latter consisting of three members elected from the three electoral districts, voters being required to be British subjects, twenty-one years of age or over, and to have resided in the Yukon for one year.

The civil service is divided into two parts, one controlled by the Yukon Territorial Government and one controlled by the Dominion Government. In the Yukon section are the departments of the treasury, education, and mines; in the Dominion section are the departments of justice, customs, public works, Indian affairs, and the Royal Canadian Mounted Police.

The judicial branch of the Yukon Territorial Government consists of a territorial court and a court of appeal, the latter being the Court of Appeal of British Columbia.

The Yukon Territorial Government is thus a complete government, with all four branches of government and also with an electorate. It controls, under the supervision of the Dominion Department of the Interior, many of the matters mentioned in Section 92 of the British North America Act, 1867. It is not yet fully a province, but, since it has already a territorial government, it is on the way to becoming one. It will in all probability be established as a province if and when its white population warrants that step.

THE GOVERNMENT OF THE NORTHWEST TERRITORIES

The Northwest Territories extend from the northern boundary of Alberta and Saskatchewan to the North Pole and include about one-third of the area of Canada. For convenience of administration, the Northwest Territories are divided into three districts —Mackenzie and Keewatin on the mainland and Franklin, which includes all the Arctic Islands.

The Northwest Territories are governed by a Commissioner and a Council of six members, all appointed by the Dominion Government and acting

under the supervision of the minister of the interior. The Commissioner and the Council have power to make ordinances on matters of a local nature in the Territories, other laws being made by the Dominion Government. Since the Council is appointed, there is no electorate in the Northwest Territories, but there is a civil service and a judiciary. The civil service consists of such clerks and officials as are employed in Ottawa by the Commissioner, and, in the Territories it consists of the Royal Canadian Mounted Police. The judiciary consists of such magistrates as may be appointed by the Dominion Government, but cases that arise are usually taken to the courts of Ontario, Manitoba, Saskatchewan, Alberta, or British Columbia, as may be convenient.

The Northwest Territories are in fact governed by the Dominion Government. The Territories are far from becoming provinces in the Dominion, for there is hardly any permanently settled white population. The Northwest Territories are not nearly so far advanced politically as the Yukon Territory, and have not yet started on the way to becoming provinces in the Dominion.

CHAPTER XIII

THE BRITISH EMPIRE

Approximately one out of every four persons now living in the world is a British subject. The population of the British Empire is about four hundred and fifty millions, and the area about one-quarter of the land surface of the globe. Of this vast organization Canada is an outstanding and important part; Canada is a British Dominion, and through her government participates in the government of the British Empire. The relation between Canada and the Empire and the part Canada performs in the government of the Empire are matters of great importance to Canadians, for Canadians control the government of Canada, and so control the part which that government plays in the government of the British Empire.

The British Empire has a long and interesting history, the first overseas colony having been Newfoundland, which, along with the Atlantic coast of North America, was discovered by Cabot in 1497, when he took possession of the whole continent for England. Since 1497 the British Empire has gradually grown, territories being acquired in America, Asia, Europe, Africa, and Australasia, until to-day the British Empire is the largest state in the world, overshadowing all others in size, wealth, potentialities, power, influence, and in its ability to maintain peace, order, and good government in at least one-quarter of the whole world.

The modern British Empire consists of territories, large and small, scattered in all parts of the world. From the political point of view, the present political

organization of the British Empire was established at the end of the Great War and has been developed during the succeeding years. Prior to the Great War the government of Great Britain was officially the government of the British Empire so far as foreign states and governments were concerned. Since the Great War the government of the British Empire has become, not the government of Great Britain alone, but the government of Great Britain in association with the governments of certain British Dominions and colonies.

From the external point of view, that is from the point of view of a foreign state, the British Empire is a political unit. From the internal point of view the British Empire may be divided into two sections or political groups; first, those territories with self-government, such as Canada had after 1867, and secondly, those territories with governments such as Canada was granted in 1774 and in 1791. After 1774 Canada was a Crown Colony with a governor and an appointed council; after 1791 it was a representative government colony; after 1840 it was a responsible government colony; but it was not until 1919 that Canada or any British Dominion became a Dominion in the full and modern sense of the word. To-day a Dominion is a territory which is a part of the British Empire and which possesses both internal and external self-government. From 1867 to 1919 a British Dominion was a British territory which possessed only internal self-government, its foreign, or external, relations with foreign states being carried on through or by the British Government. Since 1919 British Dominions carry on their own external relations either through and by their own governments or in association with the

governments of Great Britain and of the other Dominions. A Dominion is, therefore, different from any other type of British colony in that it is fully self-governing.

The British Dominions to-day include Canada, Australia, New Zealand, South Africa, Ireland, and in a sense, Newfoundland and Southern Rhodesia, which latter are self-governing as Canada was from 1867 to 1919. India, also, which is not at present self-governing, hopes in the not far distant future to attain to this status. Other British colonies, such as Honduras, Guiana, Gold Coast, Sierra Leone, Basutoland, Malta, Cyprus, Fiji, Straits Settlements, Kenya, Tanganyika, Jamaica, Bermuda, and many others, are not self-governing, and so constitute a second group of British territories, this group being again subdivided politically into representative government colonies, Crown Colonies, protectorates, and mandates.

The British Empire thus may be divided into two broad groups. The first group includes the British Dominions and Newfoundland, Southern Rhodesia, India, and Great Britain, all of which are considered as self-governing; the second group includes all other British colonies, which, not being self-governing, are, in the ultimate analysis, governed by the government of Great Britain. In addition, therefore, to being a member of the first group, Great Britain is also a part of the second group, in law being the second group; for a colony, in law, is merely an overseas part of the Mother Country.

In 1919 the various British Dominions became fully self-governing, for they then began to carry on their own external relations. Prior to 1919 the British Dominions had for some years advised the British

Government how they wished their external relations conducted; but during that period from 1887 to 1919 they had no right to conduct external relations on their own account. Prior to 1887 the British Government carried on all the external relations of all the parts of the Empire without any official advice from any of the governments of those parts. In 1887 the Imperial Conference, then known as the Colonial Conference, was instituted, and by degrees led to the direct participation of the governments of the Dominions with the government of Great Britain in conducting the external relations of the Empire as a unit, and of each part of the Empire.

The first Colonial Conference was held in 1887 at the time of the Golden Jubilee of Queen Victoria; the second was held in 1894 in Ottawa; the third was held in 1897 at the time of the Diamond Jubilee; the fourth was held in 1902 at the time of the coronation of King Edward VII; the fifth in 1907, when the name was changed to the Imperial Conference; the sixth in 1911, the seventh in 1917; the eighth in 1918 and in 1919 at the Peace Conference; the ninth in 1921, the tenth in 1923, the eleventh in 1926, and the twelfth in 1930. The Conferences were begun in 1887 merely as a means of permitting the British Government to sound out the opinions of the self-governing colonies on various questions of Empire government. In 1917 and 1918 the Dominions had become fully self-governing, and then became entitled to share in the government of the Empire and in its relations with foreign parts; and by 1930 Great Britain and the Dominions had declared themselves equal members of an association of nations, known as the British Commonwealth of Nations, and a part of the British Empire. By 1930,

also, each fully self-governing Dominion in the Empire conducted its own external relations with foreign states, and also shared equally in carrying on the relations of the group, that is, the Empire, with foreign states.

The British Empire thus consists politically of two groups of territories, some self-governing, such as Canada, Great Britain, or Australia, others not self-governing, such as Jamaica, Barbados, Uganda, Honduras. Of each of these groups Great Britain is a member or part, a member of the first group and a part of the second, the government of Great Britain being the ultimate government of all the non-self-governing colonies. All together form the British Empire, the first group, including therein the island of Great Britain, forming the British Commonwealth of Nations.

CHAPTER XIV

THE GOVERNMENT OF THE BRITISH EMPIRE

As the British Empire has expanded and developed, so has its government. At one time the British Government was the only government in the Empire; it made laws which applied not only in Great Britain but throughout the Empire. To-day the British Government is only one of the governments in the Empire; its laws apply only to Great Britain; and although in certain parts of the Empire British laws still can and do apply, in other parts, such as Canada, they do not apply until accepted and made the law by the government of that part. When laws of the same kind, as, for example, a law defining who is a British subject, is required to apply throughout the Empire, then the governments of all the self-governing parts agree in conference on the statute, which is then passed by each of those governments, and so is made the law and is applied and executed in each part by the government of that part.

A law to apply in every part of the Empire must now be agreed upon by all the governments of the various self-governing parts, in the Imperial Conference; having been agreed upon, the government and parliament of each self-governing part make a law in accordance with the agreement, and each government then enforces, administers, and interprets that law.

In relation with foreign states, either the Empire as a whole or one Dominion only may be concerned. If the Empire as a whole is concerned, then the agreement is considered in the Imperial Conference, and all

the governments of the Empire negotiate and sign the treaty which expresses the agreement made between the Empire group and the foreign state. The treaty so made is then confirmed by law in each self-governing part, and so is a law, and is enforced, administered, and interpreted by the appropriate branches of the government of each part of the Empire for that special part. On the other hand, if only one Dominion is concerned in a question with a foreign state, that Dominion government in the name of the Crown, and without reference to any other Dominion government, makes an agreement with the foreign state, which is expressed in a treaty. That treaty is confirmed by law, becomes a law, and so is enforced, administered, and interpreted in that Dominion by the appropriate branches of that Dominion's government.

In 1922 the British Empire made a treaty to limit the size of its navy. That treaty was negotiated and signed by representatives of all the governments of the Empire, and is enforced, administered, and interpreted by the appropriate branches of the governments of the Dominions within the borders of each Dominion.

In 1924 and 1925 Canada made a number of treaties with the United States which concerned only Canada (and the United States), but no other part of the Empire. These treaties, the government of Canada made in the name of the Crown; Canadian laws were passed confirming these treaties, so making them law; these laws were then enforced, administered, and interpreted by the three branches of the Canadian Government.

In each self-governing part of the Empire there is a separate government which makes, enforces, administers, and interprets laws for that part. In

each part of the Empire, however, there is only one chief executive, the King, who occupies the office of the Crown, which is the executive branch in any British government. Throughout the Empire there is only one Crown, one King; in the overseas parts the King is represented by an official, who may be called governor-general, lieutenant-governor, governor, or viceroy. But these representatives are only representatives; the King is the chief executive of the whole British Empire; the Crown is the executive branch of the government and so, as there is only one King, there is only one Crown, one chief executive in the British Empire. The Crown in Canada is the Crown in Australia, in South Africa, in New Zealand, in India, in Ireland, and in Great Britain. All the governments of the Empire act in the name of the Crown; laws are made in the name of the King; the Crown is thus the link which binds the various parts together, which makes all parts of the Empire British territory, and which makes all individuals who are members of the Empire British subjects. All British subjects, whether they be Canadian, Hindu, Chinese, Negro, Australian, Eskimo, South African, or Mohammedan, owe allegiance to one King, who is the head of the government in the territory where they reside; and they, by owing allegiance to that King, are British subjects, irrespective of race, creed, or colour.

The British Empire is scattered throughout the world; it includes peoples of every known race, creed, and colour; it includes territories in every continent and every sea. British law is known and is enforced in all those territories; peace and order—the fundamental necessity of good government and of civiliza-

tion—is maintained throughout the Empire in all its parts by British law and British government. Ancient Rome, by enforcing the *pax Romana*, forced peace and order and a form of civilization on all the peoples and territories it brought under its sway. The modern British Empire, by maintaining peace and order in all its parts, and by following its policy of politically developing its parts from Crown Colonies to self-governing Dominions, is extending civilization throughout the world and providing the means of good government to peoples and territories which could not and would not by themselves maintain peace and order and good government within their territories. The British Empire is, in short, the civilizing element in the modern world; it maintains internal peace and order in all its territories; it prevents wars arising amongst one-quarter of the world's population; it is, therefore, a means not only to internal or national peace and order, but also to world peace and order, and so adds to the sum of human happiness. Its policy or system is not force, but development; it maintains internal peace and order when necessary by force; but, by maintaining peace and order, it develops self-government, and provides the basis for the greatest number of people achieving the greatest measure of happiness and well-being. It is an agency for good, for individual and national well-being. Canada is part of that Empire, and Canadians have good grounds for pride in the fact that they may call themselves British subjects, members of a world-wide political organization which is performing invaluable services for world peace, world order, world development, and world civilization.

CHAPTER XV

INTERNATIONAL ORGANIZATION

All the land surface of the world is divided among a number of states, each of which is sovereign and independent, each of which controls its relations with other states, and each of which controls all persons and things within its boundaries. Independence as between states means extreme individuality; an independent state thus can and is entitled to act in international relations in any way it pleases, without any restraints, except that of the fear that a stronger state might go to war with it and so impose its wishes on the weaker.

On the other hand, independent states find at times that it is to their mutual best interests to act together to achieve some purpose common to both of them; by an agreement between them each would perform its share, and so a mutual object would be achieved. In addition, states existing in the same world find that through the centuries a number of customs grow up which regulate their conduct with each other, just as in the social relations of individuals customs regulate the conduct of individuals. As a consequence of agreements between groups of states, regulating activities by and between themselves, and as a consequence of the development of customary rules of conduct, a system grew up which contained rules regulating the conduct of states in their international relations. This system of rules became known as International Law, though it was not made by any international legislative body, nor enforced

by any international executive body. If one state broke an international law, only the injured state would take action to enforce the law; no other state was interested in seeing that the law as law was enforced. If the injured state redressed the injury done to it, it did so by going to war and winning the war against the state which had injured it. The general group of states were not interested in the enforcement of international law until they individually were injured, when each then undertook to redress the particular wrong done it on its own account. There was, in short, a system of international law, but no international government to maintain international peace and order among, or to provide international services for, the independent states of the world.

Such, in general, was the international situation among the independent nations of the world before the war. True, those states were grouped in what was known as the Family of Nations, but the Family of Nations had no direct means of influencing independent nations or of enforcing international law. States acted together to maintain international law or to provide international services only when it served their respective interests to do so. Before the war, there was, in short, no general political organization among the states of the world whereby the two fundamental purposes of international government might be achieved.

During the Great War, however, some thirty-two independent states, in alliance against the Central Powers, discovered that they could work together in harmony to win a war, to provide services, and to maintain peace and order among themselves. Out of this concrete experience developed the practical

idea of the League of Nations; towards the end of the War the Allies had adopted the principle that the establishment of a League of Nations, to maintain international peace and order and to provide international services, was a necessary part of any peace that might be made by them to end the Great War.

The principle of the League of Nations as an international government maintaining international peace and order and providing international services is, however, directly contrary to the principle of the sovereignty and independence of nations. If the League were to be an international government, then the member-states would not be independent, but would merely be parts of an international super or world state. Before and during the war, when a number of independent states decided to have an international service performed, the representatives of their governments met in an international conference, which agreed upon a treaty in which the share to be performed by each state was set forth. When each government agreed to, that is, ratified, such a treaty, the service would be performed either by a special international agency or as a co-operative international enterprise. This method was adopted for the League of Nations as a means of preserving the independence of each member-state, and yet of supplying a form of international government to the independent states of the world. The League of Nations is essentially an annual international conference of all members; at the annual conferences treaties are arranged; when those treaties are ratified by all members, then each member is bound in good faith to observe the terms of the treaty so agreed to. In addition, since the League of Nations meets every

year and since it has a council meeting four times a year, and since it has a secretariat, which is an international civil service, continuously on duty, the League of Nations as an organization is in a position to check up on the performance of international agreements made by the members, to suggest new agreements when necessary, and, in general, to meet the need for new international regulations and rules before that need becomes acute. The pre-war conference method met the international need for new rules of conduct only after the need had become acute; in addition, the pre-war conference method had no means of continuously checking up on performance; for, when once the treaty was made, the conference broke up, and the execution of agreements then depended solely on the good faith of the parties to the treaty.

The League of Nations was instituted on the 10th of January 1920, with a constitution known as the Covenant, which provided for the establishment of the various organs of the League. By the Covenant the British Empire and all British Dominions, including Canada, became separate members of the League. Canada, the other British Dominions, and the British Empire (that is Great Britain and the colonies), thus became original members of the League of Nations. Since 1920 Canada has taken a prominent and responsible part in the work of the League.

The Covenant of the League of Nations is in effect a treaty between the independent states which are members of the League. By the Covenant the organs of the League are an assembly of all members, a council of permanent and elected members, a secretariat, which is the administrative branch, and a

permanent court of international justice, which is the judicial branch. The League of Nations thus has the four branches which characterize any government; the work of the assembly and the council, though in theory the same, are in reality differentiated, with the result that the assembly acts somewhat like an international legislature, and the council somewhat like an international executive.

The purpose of the League of Nations is stated by the Covenant to be "to promote international co-operation and to achieve international peace and security". By promoting international co-operation the League of Nations will perform one function of international government—that of the providing of international services; by achieving international peace and security the League of Nations will perform the other function of international government—the maintenance of international peace and order. Thus, the League of Nations, if not an actual international government, in and by itself, is a means to international government. By associating the independent states of the world in an organization with purposes similar to those of government, and with the four necessary branches of government, that organization will induce the independent states of the world to co-operate in performing, either for themselves or through the organization, the fundamental functions of international government.

CHAPTER XVI

THE LEAGUE OF NATIONS

The purposes of the League of Nations are to promote international co-operation and to achieve international peace and security. These purposes the League proposes to accomplish through four branches, established under the authority of the Covenant. Those four branches are, the Assembly, the Council, the Secretariat, and the Permanent Court of International Justice, which in the United States, but not in other countries, is known as the World Court.

The Assembly of the League of Nations meets in September of each year, and consists of three representatives from each member, each member having one vote in the Assembly. Members of the League of Nations are either original or admitted; the British Empire, Canada, Australia, New Zealand, South Africa, and India are original members; the Irish Free State, which was established two years after the League, is an admitted member, having been admitted like all such members by at least a two-thirds vote of the Assembly. At present fifty-five out of the sixty-three nations in the world are members of the League.

The Council of the League of Nations meets at least four times each year, and more frequently as may be necessary. It consists of representatives of Great Britain, France, Italy, Japan, and Germany as permanent members, and of representatives of nine elected powers, making a total of fourteen. The elected powers are elected by the Assembly, three for three years, three for two years, and three for one

year. In 1927 Canada was elected for a three-year term. In 1930 the Irish Free State was elected in Canada's place. The British Empire, being one of the Great Powers, is a permanent member.

The Secretariat is in effect an international civil service. It consists of a secretary-general and such staff of secretaries and clerks as may be required. To-day the Secretariat includes the secretary-general and about five hundred persons of over thirty different nationalities. The Secretariat is divided into eleven bureaux or sections, each of which administers a group of related international affairs. The Secretariat also co-operates with the special commissions set up by the Council and the Assembly, such as the Mandates Commission and the Armaments Commissions.

The Permanent Court of International Justice was established in 1920, under authority of the Covenant, but practically independent of the League. It consists of fifteen judges elected under a complicated system for a nine-year term, the judges being eligible for re-election. The Court sits at the Hague, and has performed valuable services in settling international disputes, some of which undoubtedly would have led to war. The jurisdiction of the Court covers all international disputes which are referred to it for decision—this being the voluntary jurisdiction of the Court—and disputes between states which have agreed that all disputes between them must be referred to the Court—this being the compulsory jurisdiction of the Court. The British Empire and all the British Dominions have agreed that any disputes with any state which has agreed to the compulsory jurisdiction of the Court must be referred to the Permanent Court of International Justice for decision. The British

Empire was the first Great Power to take this important step towards the maintenance of world peace. The United States has not even yet joined the Permanent Court of International Justice, or as it is known in the United States, the World Court.

The League of Nations, like a real government, has as its primary object or purpose the maintenance of world peace, which means in effect the prevention of war. The Covenant provides means whereby a dispute likely to lead to war can be and will be settled through the action of the Council and the Permanent Court of International Justice. If a member of the League neglects to observe the commands of the Council and the Covenant, it commits an act of war against every other member of the League. With fifty-five members, this would mean one against fifty-four; in international law it means that the members of the League have promised to maintain international law whether they are directly injured or not; very different from pre-war times, when the two parties to the dispute fought it out, the rest of the world remaining neutral. Under the League of Nations, if war should start, no member of the League could be neutral; only the United States, Russia, Mexico, and other such states, which are not members of the League, could be neutral. The League of Nations prevents war and maintains peace by making each member promise not to go to war, and by making each member promise to settle its disputes by judicial methods. If a member goes to war contrary to its promises, then all the other members of the League are at war with it, thereby making it an outlaw state.

As its secondary object or purpose, like a real government, the League of Nations directs the means

of providing international services to the states of the world. Matters of concern to the whole world are placed under the supervision of the League, matters such as the prevention and control of disease, freedom of communication, the trade in arms, the slave trade, native aborigines, minorities, and all international bureaux, such as the International Postal Union, the Universal Telegraph Union, the International Labour Organization, the Patents and Trademarks Union, the Red Cross, and many others.

Although through it the two fundamental purposes or objects of international government are being performed, the League of Nations is not a government nor is it a super-state. Its members are sovereign and independent, bound together by treaty to maintain international peace and to provide international services, through an organization which exercises powers delegated to it by the members. Each member of the League has agreed to the Covenant, which in effect is a treaty; as treaties are laws of the land, and as Canada and fifty-four other nations have agreed to the Covenant, it follows then that the Covenant is the law in Canada as well as in the other fifty-four member-states of the League. The Covenant of the League of Nations is, in short, the law in practically the whole world. Canada being a prominent member of the League, it behooves every Canadian to know as much as possible about its work and its organization.

CHAPTER XVII

GOVERNMENT IN CANADA

GOVERNMENT in Canada is a rather complicated machine, with special parts for local government, provincial government, and Dominion government. In addition the Dominion Government is a part of the machinery of government in the British Empire and in the League of Nations. Government in Canada, therefore, is related to everything that happens or exists, from village pumps to provincial roads, to Dominion post-offices, to Imperial Conferences, to the League of Nations and world problems. Yet every aspect of government in Canada is controlled by the people; the people of Canada work the machinery of government, and whatever the government of Canada does is the will or wish of the people of Canada. If the government in Canada is bad and unsatisfactory, the people themselves are to blame; if, on the other hand, the government is good and makes wise laws, that also is directly attributable to the people of Canada, who alone control the machinery of government.

Canada is politically divided into a number of divisions—nine provinces, each divided into municipalities, and two territories, one being divided into districts. An individual living in Southern Ontario thus lives in a municipality, in the province of Ontario, and in the Dominion of Canada; he votes at municipal elections, at provincial elections, and at Dominion elections. He is, in short, a part of the machinery of government in Canada. Through the votes of

individuals the people in Canada control the government in Canada.

An individual votes, not for a candidate, but for the political principles which that candidate advocates. All candidates and voters who support the same political principles form a party, which, if in the majority throughout the territory, then has a majority of the candidates elected, who thereupon form a majority in the legislature, and so control the making of laws. Laws being the authority on which every act of government must be based, control over the making of laws gives control over the whole government. Once a law is made, that law is enforced by the executive, administered by the civil service, and interpreted and applied by the courts. Laws, however, are merely the formal expression of the wishes of the people; the legislature gives formal expression to the wishes of the people, for it is controlled by the people. If certain laws are not wise, if they are harmful, then, not the legislature, nor the executive, nor the administration, but the people themselves are to blame. The quality of the laws made, enforced, administered, and interpreted, is directly dependent on the intelligence and wisdom of the electorate.

Although Canada is a democracy, that is, a country with a government controlled and directed by the people, it is also a monarchy, for Canada has a King, who, although King of other British countries, is equally King of Canada. Canada is to-day the only country in America with a monarchical form of government. Yet the Canadian monarchy has a democratic government, for the people control the legislature, which controls the actual executive, which acts in the name of, and on behalf of, the chief executive, who is His

Majesty the King, who is represented in Canada by His Excellency the Governor-General. Canada may be politically described as a democracy with a monarchical form of government.

Canada is a British Dominion, that is, one of the self-governing Dominions in the British Empire, and is associated with Great Britain, Australia, New Zealand, South Africa, India, and the Irish Free State, which together form the British Commonwealth of Nations. The British Empire and the British Commonwealth act in unity through the Imperial Conference, which, together with the governments of Great Britain and of the Dominions, forms the government of the British Empire.

Canada, in addition to being a part of the British Empire, is a member of the League of Nations, which is an association of the important and progressive nations of the world, acting together, through the League, to maintain international peace and order and to provide international services for their mutual convenience.

Canada may, therefore, be politically described as a democracy with a monarchical form of government, as a British Dominion, part of the British Empire and British Commonwealth of Nations, and as a member of the League of Nations. The governing of Canada is controlled by the people, who are affected by the laws made by municipal, provincial, and Dominion governments; and, through their control over the Dominion Government, the people of Canada also control Canada's part in the governing of the British Empire and in the activities of the League of Nations. The individual in Canada is directly and closely connected with the governing of Canada; he is,

therefore, personally responsible for the quality of that government.

To be a good subject, therefore, the Canadian must not only be obedient to laws, but must actively participate in the governing of his country by voting intelligently and wisely, and by knowing and appreciating the work and the methods of government; thus only can he fulfil his civic responsibilities. Citizenship, or as we should say in a monarchy, subjectship, is a responsible condition of life, fraught with consequences, and heavy with responsibilities which cannot be shirked. Laws affect each and every individual, but each and every individual has a share in choosing what laws shall be made; and only by voting intelligently and wisely can the individual Canadian meet the heavy responsibilities which democratic government imposes on him.